

REMARKS/ARGUMENTS

Claims 1-23 and 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lin et al. (US 5,832,000, "Lin" hereinafter) in view of Lundby (US 6,856,604).

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Response:

Claim 1 recites the features of:

“successively transmitting a first predetermined number of more than one identical copies of a data block with a first transmitter of the first peer;
10 receiving at least two of the first predetermined number of identical copies of the data block with a second receiver of the second peer; and
combining more than one corrupted received data blocks to form a complete copy of the data block at the second peer.”

15 The Examiner has contended that Lin teaches all claimed features except for transmitting and receiving identical copies of data, and combining corrupted data to form a complete copy of the data. Instead, the Examiner has alleged that Lundby teaches these features in column 2, lines 1-5.

20 The following is quoted from Lundby's column 2, lines 2-5, “There is a present need in the art for a method and apparatus for **transmitting identical or similar data to multiple users** without using multiple channels.” Thus, the subject matter of Lundby is to send identical data to **multiple** users with a “single” channel to save channel resources.

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On the other hand, the subject matter claim 1 involves sending multiple identical copies of data block to a single user (the second peer). In other words, claim 1 sends a data packet successively multiple times to a single user. This feature is not taught by either Lin or Lundby.

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5 The Examiner has also stated, “*Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use Lundby's transmitting and receiving identical data because this would have allowed the base station to make multiple transmissions with the same data content, column 2, lines 1-2.*”

10 However, Lundby does not teach making multiple transmissions to a single user using the same data content, as described by the Examiner. Instead, Lundby intends to send the same data content only once in one single channel (i.e., broadcast or multicast) to multiple users to save channel resources. For the reasons stated above, claim 1 is patentable over Lin and Lundby since the cited prior art fails to teach all of the claimed features contained in claim 1.

15 Claims 2-12 and 27 are dependent claims of claim 1. If claim 1 is allowable over Lin and Lundby as argued above, claims 2-12 and 27 shall also be allowable.

20 Claim 13 recites the feature of “a first processor electrically connected to the first transmitter for controlling the first transmitter to successively transmit a first predetermined number of more than one identical copies of a data block via the first antenna”. As explained in the response for claim 1, neither Lin nor Lundby teach these features.

25 Claims 14-18 are dependent claims of claim 13. If claim 13 is allowable over Lin and Lundby as argued above, claims 14-18 shall also be allowable.

30 Claim 19 recites the features of “a second processor electrically connected to the second receiver for combining more than one data blocks received successively to form a complete copy of the data block” and “a second transmitter for transmitting a response to the transmitting peer when the second

processor forms a complete copy of the data block.”

5 The Examiner has stated on pages 10-11 of the Office action dated 12/10/2008 that Lin teaches, “*a second transmitter (SCR 122 request retransmission (second transmitter), column 3, lines 61-62) for transmitting a response to the transmitting peer (SCR 122 **request retransmission** of portions of corrupted messages, column 3, lines 61-62) when the second processor (Fig. 3, processor 310) forms a complete copy of the data block.*”

10 However, in claim 19, when the receiver receives a complete copy of the data block, the receiver sends a positive acknowledgement stating this fact. On the other hand, Lin merely teaches requesting retransmission when receiving corrupted messages. Therefore, Lin does not teach the claimed feature of “a second transmitter for transmitting a response to the transmitting peer when the
15 second processor forms a complete copy of the data block.”

 The Examiner has also stated, “*Lundby discloses the remote station receive the uncorrupted data (block), column 5, lines 38-40.*

20 *Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use Lundby's complete copy of the data because this would have allowed the this would have enabled the base station to transmit information to a remote station using a format where data was repeated in a packet, column 5, lines 33-35.*”

25 Lundby does disclose in column 5, lines 38-40 the remote station receiving uncorrupted data (block). However, Lundby does not disclose the remote station sending a **response** to the base station when the remote station receives an uncorrupted data block. In fact, since there are multiple remote stations receiving the same data block, it is not practical for a broadcast/multicast system such as
30 the one described by Lundby to respond by each remote station when receiving

each complete data block.

For the reasons stated above, the combination of Lin and Lundby fail to teach all of the features of claim 19, and claim 19 is patentable over the cited prior art.

Claims 20-23, 25, and 26 are dependent claims of claim 19. If claim 19 is allowable over Lin and Lundby as argued above, claims 20-23, 25, and 26 shall also be allowable.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Sincerely yours,

/Winston Hsu/

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Note: Please leave a message in my voice mail if you need to talk to me. (The time in D.C. is 13 hours behind the Taiwan time, i.e. 9 AM in D.C. = 10 PM in Taiwan.)